



Best Available Copy

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/669,232      | 09/22/2003  | Joseph Ernest Lorkovic |                     | 3566             |

7590 01/25/2008  
Bernard L. Kleinke, Esq.,  
DUCKOR SPRADLING METZGER & WYNNE  
A Law Corporation  
3043 4th Avenue  
San Diego, CA 92103

|          |
|----------|
| EXAMINER |
|----------|

PARRA, OMAR S

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2623

|           |               |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                        |                         |  |
|------------------------------|------------------------|-------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>     |  |
|                              | 10/669,232             | LORKOVIC, JOSEPH ERNEST |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>         |  |
|                              | Omar Parra             | 2623                    |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claim 4-13 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims **4-6 and 9-11** are rejected under 35 U.S.C. 102(b) as being anticipated by Schindler et al. (hereinafter 'Schindler, Patent No. 5,900,867).

Regarding claims 4 and 9, Schindler teaches a remote and local display system (with respective method) for remote control and interaction by a user of a main television display and a HTPC/PC host computer system having at least one input (**114, 174, 156, Fig. 1**) for communicating with a network, comprising:

a transceiver unit for communicating with the host computer system (**col. 13 line 63- col. 14 line 11; col. 18 lines 1-6; in conjunction RF 324 and 318 for the video receiving/sending section of the PC**);

a remote control unit for wirelessly communicating with the transceiver unit, the remote control unit being approximately the size and form factor of a laptop computer (**in conjunction, keyboard 126 and any of the multiplicity of monitors 122 or TVs**

**150, Fig. 1; col. 3 line 53-col. 4 line 19; col. 6 lines 7-14; col. 8 line 48-col. 9 line 16; where a keyboard added to a monitor or TV approximately the size and form factor of laptop) and comprising:**

a remote graphics display panel for presenting output multimedia, video, and data ( **multiplicity of monitors 122 or TVs 150, Fig. 1; col. 3 line 53-col. 4 line 19; col. 6 lines 7-14; col. 8 line 48-col. 9 line 16); and**

a keyboard having at least 26 keys (**keyboard 126, Fig. 1 and 10; col. 14 line 42- col. 15 line 32);**

wherein the keyboard sends output signals via the transceiver unit to the host computer system (**col. 5 line 34 -col. 6 line 6; col. 15 lines 7-32; col. 18 lines 1-6)**

wherein the host computer system sends a DVI/VGA computer output signal via the transceiver unit to the main television display and an image generating signal via the transceiver unit to the remote graphics display panel, (**Having multiple display devices and multiple video outputs, 522, 542, 544, 546, 548, Fig. 5, the computer can send VGA signals to all of them ford display through their transceiver sections as stated above, col. 3 line 53-col. 4 line 19; col. 6 lines 7-14; col. 8 line 48-col. 9 line 16)** and

wherein the host computer system processes the keyboard output signals for creating at least one of the video and image generating signals sent respectfully to the main television display and to the remote graphics display

panel of the remote control unit (**col. 5 line 34- col. 6 line 6; col. 9 lines 42-62; col. 10 line 59-col. 12 line 18**).

Regarding claims 5, 6, 10 and 11, Schindler teaches a remote and local display system wherein the remote control unit further includes a pointing device (**col. 8 lines 25-29; col. 14 line 42- col. 15 line 31; being the keyboard's transceiver the only way to communicate to the computer, it is inherent that the pointing device, which is part of the keyboard, has to connect through it**).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **7 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler et al. (hereinafter 'Schindler, Patent No. 5,900,867) in view of Miller Jr. (Pub. No. 2002/0034063) .

Regarding claims 7 and 12, Schindler teaches all the limitations of the claim they depend on. On the other hand, although Schindler teaches that other peripheral devices can be connected to the wireless keyboard (1044, Fig. 10 for game controllers, for example; col. 18 lines 1-6), he does not explicitly teach that jack to be a USB port.

However, in an analogous art, Miller Jr. teaches a wireless keyboard that sends control signals to a computer and has additional USB ports for connecting other controlling devices to the keyboard and being able to also control the computer with it ([0043]).

Therefore, it would have been obvious to an ordinary skilled in the art at the time of the invention to have modified Schindler's invention with Miller's USB port at the keyboard for the benefit of keeping mobility of the game player and not having to connect the controller directly to the computer.

6. Claims **8 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schindler et al. (hereinafter 'Schindler, Patent No. 5,900,867) in view of Allport (Patent No. 6,567,984).

Regarding claims 8 and 12, Schindler teaches all the limitations of the claims they depend on. On the other hand, Schindler does not explicitly teach being of swapping the video signal and the image generating signal between the main television display and the remote graphics display panel.

However, in an analogous art, Allport teaches a remote device to control a local and remote displays and being able to swap the images between them (col. 10 line 55- col. 12 line 9).

Therefore, it would have been obvious to an ordinary skilled in the art at the time of the invention to have modified Schindler's invention with Allport's swapping feature

for the benefit of letting a user in other room to interchange displays (a word processing document or video being shown) with other user display at other room.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Parra whose telephone number is 571-270-1449. The examiner can normally be reached on Under Academy Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone


Application/Control Number:  
10/669,232  
Art Unit: 2623

Page 7

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OP

  
CHRISTOPHER GRANT  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600